REMARKS

No claims are amended, no claims are cancelled, and no new claims are added. Claims 1-51 are pending in this application.

Election/Restriction

In the Restriction Requirement mailed February 03, 2009, the Examiner has restricted the claims to one of the following inventions under 35 U.S.C. 121:

I. Claim 1-18 and 35, drawn to a display matrix, classified in class 345, subclass 55.

II. Claims 19-22, drawn to image matching, classified in class 382, subclass 181.

III. Claims 23-24, drawn to security data network, classified in class 713, subclass 152.

IV. Claim 25, drawn to data mining, classified in class 702, subclass 196.

V. Claim 26, drawn to sensor data processing, classified in class 702, subclass 199.

VI. Claims 27-29, drawn to biological data analysis, classified in class 703, subclass 11.

VII. Claims 30-31, drawn to data analysis, classified in class 382, subclass 162.

VIII. Claims 32-33, drawn to instruction code for data analysis, classified in class 100, subclass 138.

VIIII. Claims 34, drawn to computer system, classified in class 709, subclass 201.

X. Claims 36-51, drawn to an electro-optic display, classified in class 345, subclass 45.

Applicants have reviewed the Restriction Requirement mailed February 03, 2009, and provisionally elect, with traverse, the claims of Group I (claims 1-18 and 35). Reconsideration and withdrawal of the Restriction Requirement, in view of the remarks presented herein, is respectfully requested.

Applicants bring to the Examiner's attention that the above identified application is a U.S. National Stage Filing under 35 U.S.C. 371 from International Patent Application No. PCT/GB2005/050219, filed November 30, 2005, which claimed priority under 35 U.S.C. 119 to

United Kingdom Application No. 0428191.1, filed December 23, 2004.

As such, it is believed that a Unity of Invention standard, as described under 37 CFR 1.475, is the applicable standard for determining any restriction practices applicable to this application. According to MPEP 1893.03(d):[1]

1893.03(d)Unity of Invention [R-7]

37 CFR 1.499. Unity of invention during the national stage
If the examiner finds that a national stage application lacks unity of invention under § 1.475, the examiner may in an Office action require the applicant in the response to that action to elect the invention to which the claims shall be restricted. Such requirement may be made before any action on the merits but may be made at any time before the final action at the discretion of the examiner. Review of any such requirement is provided under §§ 1.143 and 1.144.

PCT Rule 13 was amended effective July 1, 1992. 37 CFR 1.475 was amended effective May 1, 1993 to correspond to PCT Rule 13.

Examiners are reminded that unity of invention (not restriction practice pursuant to 37 CFR 1.141 -1.146) is applicable in international applications (both Chapter I and II) and in national stage applications submitted under 35 U.S.C. 371. Restriction practice in accordance with 37 CFR 1.141-1.146 continues to apply to U.S. national applications filed under 35 U.S.C. 111(a), even if the application filed under 35 U.S.C. 111(a) claims benefit under 35 U.S.C. 120 and 365(c) to an earlier international application designating the United States or to an earlier U.S. national stage application submitted under 35 U.S.C. 371.

Further, according to 37 CFR 1.475:[2]

§ 1.475 Unity of invention before the International Searching Authority, the International Preliminary Examining Authority and during the national stage.

(a) An international and a national stage application shall relate to one invention only or to a group of inventions so linked as to form a single general inventive concept ("requirement of unity of invention"). Where a group of inventions is claimed in an application, the requirement of unity of invention shall be fulfilled only when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical features. The expression "special

[1] See Manual of Patent Examining Procedure (MPEP), Original Eight Edition, August 2001, Latest Revision July 2008.

[2] *See* Title 37 - Code of Federal Regulations Patents, Trademarks, and Copyrights, Section 1.475 (January 16, 2009).

> technical features" shall mean those technical features that define a contribution which each of the claimed inventions, considered as a whole, makes over the prior art.

Therefore, according to MPEP 1893.03(d), when making a lack of unity of invention requirement, the examiner must explain why each group lacks unity with each other group (i.e., why there is no single general inventive concept) specifically describing the unique special technical feature in each group. The Restriction Requirement mailed February 03, 2009 in the application has entirely failed to do so, and thus fails to meet the requirements established under MPEP 1893.03(d) necessary for stating the basis for the Restriction Requirement.

Further, Applicants respectfully submit that all of the groups of claims identified by the examiner are linked to form a single general inventive concept because there is a technical relationship among the inventions that involves at least one common or corresponding special technical feature, which is the method of digitally processing data according to claim 1 (or, more or less equivalently, claim 35, 36 or 50).

With respect to claims 47-49 and 51, these appear to be directed to "an apparatus or means specifically designed for carrying out the said process" and so should be considered to have unity of invention with the method claims under 37 CFR 1.475(b)(4), which states:

> (b) An international or a national stage application containing claims to different categories of invention will be considered to have unity of invention if the claims are drawn only to one of the following combinations of categories:
>
> . . .
>
> (4) A process and an apparatus or means specifically designed for carrying out the said process.

For at least these reasons, Applicants respectfully submit that claims 1-51, as now pending in the application, include Unity of Invention under 37 CFR 1.475, and so are not eligible to be restricted into groups (as suggested in the Restriction Requirement mailed February 3, 2009 in the application) based on the requirement of 37 CFR 1.475 and MPEP 1893.03(d). Therefore, Applicants respectfully request withdrawal of the Restriction Requirement, and examination and allowance of claims 1-51 as they are now pending in the application.

CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' representative at (612) 371-2132 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account 19-0743.

Respectfully submitted,

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 31 day of March, 2009.

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Signature